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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
June 5, 2009

Date of Deposit  
Amir N. Penn (Reg. No. 40,767)

Name of applicant, assignee or  
Registered Representative

Signature

June 5, 2009

Date of Signature

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kenji Ishii  
Appln. No.: 10/772,223  
Filed: February 3, 2004  
For: APPARATUS AND A METHOD FOR  
OPTIMIZING NETWORK RESOURCES  
EMPLOYED IN DATA COMMUNICATION  
Attorney Docket No: 9683/165

Examiner: Baturay, Alicia  
Art Unit: 2155  
Confirmation No. 2202

### RESPONSE TO OFFICE ACTION MAILED MARCH 12, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Office Action mailed March 12, 2009, please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 13 of this paper.